Numb. 174.

THE South-Carolina Gazette,

Containing the freſheſt Advices Foreign and Domeſtick.

From **Saturday**, MAY 21, to **Saturday**, MAY 28, 1737.

To His Excellency GABRIEL JOHNSTON Eſq; *Governor and Commander in Chief of* North-Carolina, *His humble ADDRESS of the General Aſſembly now met at* New-Bern.

May it pleaſe your Excellency,

ON the 21ſt Day of *Sept.* laſt, your Excellency made a * Speech to the General Aſſembly of this Province at *Edenton*! In anſwer to which the Aſſembly was ready to have waited on you with an Addreſs, the Receiving of which you declined. In a ſmall time afterwards the Aſſembly proceeded to conſider ſome of the many Grievances this Province laboured under; to which your Excellency was pleaſed to put a Stop, by the ſudden Prorogation of the Aſſembly, to this Time and Place.

* *See No.* 148. *of this* Gazette.

As that Speech has been printed, and thereby your Excellency hath (among many other Things) in effect publiſhed to the World, That this Province is without Laws, or Religion; we think ourſelves under an indiſpenſable Obligation, now we have this Opportunity, to obviate any ſuch Calumny; and to ſhew wherein there has been no want in the Aſſembly, to do every Thing to promote Religion, and the making good and wholeſome Laws.

By your Excellency's Speech it ſeems, 'That 'upon the ſtricteſt Inquiry you can't find one 'compleat Copy of the Laws; nor have you 'ſeen two Copies that agree.' This (if true) is a Misfortune, for which we think the Aſſembly is not Blame-worthy, in regard they have always paid the Clerk for Copies ſent to each Precinct-Court; and tho' in the Copies, your Excellency may have ſeen, there may be ſome ſmall or inſignificant Errors of the Clerk in tranſcribing; yet were the Laws themſelves well enough heretofore underſtood, and in our Opinion ſufficient Proviſion is made thereby for promoting Religion and ſecuring private Property, were thoſe Laws not violated; of which we humbly preſume to give your Excellency ſome Inſtances, which are very obvious, and which we think cannot have eſcap'd your Knowledge.

In the old Acts of Aſſembly, the Church-Wardens and Veſtries were under ſuch Reſtraint (the Inhabitants of the Province being then generally very poor, and but few in number) that no ſuitable Proviſion could then be made by them for the Maintenance of the Clergy: But the biennial Aſſembly in 1729, by the *Act for regulating Veſtries*, took off that Reſtraint, and left them at full Liberty, to appoint what Pariſh Levy ſhall to them appear needful, for the better enabling them to maintain a Miniſter, and to defray the contingent Charges of the Pariſh, any Law, Uſage or Cuſtom to the contrary notwithſtanding.

At the time of your Excellency's making that Speech, it was well known to you, that there were four Clergymen reſiding in the Province, *viz.* near *Edenton*, *Bath Town*, the Town of *New Bern*, and *Brunſwick Town*, being all the Towns of Conſequence that are at preſent ſettled by Law; nor could the Act abovementioned, paſſed in 1729, have eſcaped your Knowledge. And yet to any one that ſhall read the 3d Paragraph of your Speech, it will ſcarce be imagin'd that ſo many Clergymen were reſiding in ſo poor a Province, or that ſuch ample Power was given by Law to the Veſtries to provide for their Maintenance.

In the 10th Paragraph of that Speech, your Excellency is pleaſed to ſay, 'You heartily 'wiſh the Aſſembly would make ſome proper 'Regulations of Officer's Fees *&c.*" By which it ſhould ſeem you intimate there is not any Law regulating Fees, "and that Com-'plaints and Murmurs on that Head are very 'unjuſt." We beg your Permiſſion to put that Matter in a true Light, and to ſhew the Reaſon the Inhabitants of this Province have to complain, when the Laws relating to Fees are not regarded.

The Laws that were formerly made in this Province, for ſettling all Officers Fees, made them payable in rated Commodities at certain ſtated Times in the Year, as will appear by the Laws paſſed in Governour *Archdale's* time,

in

in the Year 1694, and the conſtant Practice from that time hath been according to that Law, untill the breaking out of the Indian War: And then the Neceſſities of Government, in paying of the Armies, and for payment for Proviſions impreſſed for that Service, and other publick Occaſions made it abſolutely neceſſary to emitt Paper Currency; and as thoſe who fought for their Country in that dangerous War, were paid but *Twelve Pence per Diem* in that Currency, and the Proviſions impreſſed were paid for at no other Value, than thoſe Prices formerly rated by Law; it was but juſt that the Paper Currency ſhould paſs in equal payments with thoſe rated Commodities, and therefore by the Law for Emiſſion of Paper Currency, it was declared, the ſame ſhould be current in all Payments, the Purchaſe Money for the Proprietors Lands only excepted: And on all future Emiſſions of Paper Currency, care was taken by Enacting, that the ſame ſhould be as current as any Paper Bills were heretofore; accordingly all the Officers Fees, and Quit Rents were generally paid in Paper Bills; But as in the Fee Act, two or three ſmall Fees payable to the Governor, on Veſſels and Marriage Licences, had been made payable in Silver or Pork, the ſame were by an Act paſſed at the Biennial Aſſembly *Anno* 1723, aſcertained in Paper Bills, or rated Commodities after the following Manner,

	old Law,	new Law,
	l s. d.	l s. d.
Entring and Clearing foreign Veſſels	1 2 6	2 16 0
Marriage Lycence	0 10 0	1 5 0

And the ſame Fees, as they were ſo enlarged, were by that Law made payable in publick Bills, or rated Commodities, at the choice of the party paying, or to pay the ſame, as by the Act *for aſcertaining Naval Officers and Collectors Fees* is very well known to your Excellency. Wherefore, when inſtead of thoſe moderate Fees heretofore paid in rated Commodities, or Paper Currency; it was notoriouſly known, that the Naval Officers of your Appointment took about *Fifteen Pounds* from each Veſſel, three Fourths, or one half at leaſt came to your uſe: when inſtead of 25 s. paper Currency, heretofore paid for a Marriage Lycence, your Secretary demanded, and took 45 s when heretofore thoſe Perſons who took up Lands on Rent, paid no Fee to the Governor for ſigning the Grant, agreeable to the Law, and Cuſtom of this Province, as well as of *Virginia*; they found themſelves conſtrain'd to pay to your Excellency, and your Secretary, more than four Times as much, as the whole Fees heretofore paid, in ſuch Caſes; beſides a large Fee to the Attorney General never known before, was it not high Time for the People to complain, and murmur at ſuch Exactions, eſpecially when your Excellency's Practice in theſe and other Inſtances, without any Colour of Law for ſo doing, gave Encouragement to all other Officers to act in the like arbitrary Manner?

Theſe among other Matters, the Aſſembly intended to have laid before your Excellency: But as your Excellency (it is very probable) was unwilling to hear ſuch Truths, relating to your Conduct, and ſome of the Officers, it haſtned the Prorogation of the Aſſembly, without ratifying even thoſe Bills that had paſſed the Council and Aſſembly conformable to your own Directions. And at the ſame Time, as a Mark of your great Diſpleaſure to the General Aſſembly, you ſent them away without the Wages, you had conſented ſhould be paid them, by a Law paſſed ſince your Arrival.

Not content with this, your Excellency, as we conceive, made an open Violation of ſome other Laws of this Province, before you left *Edenton*.

In the Time of the Indian War the Aſſembly was obliged to lay a Tax on Veſſels trading hither to pay a certain Quantity of Ammunition for a publick Magazine, as by the Act paſſed at the Biennial Aſſembly *Anno* 1715 will appear. Since your Excellency's Arrival it was expected, that as the Reaſon of that Law had for ſome Years ceaſed, that Tax on Veſſels ſhould have ceaſed alſo, in regard that by Means thereof, as well as the great Fees paid to the Naval Officers, and others, the Planters paid greater Prices, in Trade, for the Goods they purchaſed. When a Bill was prepared to eaſe the Maſters of Veſſels of that Payment, the Aſſembly underſtood your Excellency would not paſs ſuch a Bill; which did not a little grieve the Aſſembly, in regard you had propoſed the Encouragement of Trade, but they ſoon perceived the Reaſon of your Excellency's being againſt eaſeing the Trade in that Particular, when you cauſed the Receivers of that Duty, as well as that on Liquors paſt ſince your Arrival, to pay into your Hands the Sums received by them, when by the expreſs Letter of the laſt Law the Receivers of the Duty on Liquors are to account with the General Aſſembly for the ſame.

And by a Law paſt in the Year 1715, (when the Powder Duty for a Magazine was laid) intituled, publick Treaſurers to give Account; it is therein expreſſly Provided in theſe Words, *viz.* "That all Perſons whatſoever "within this Province (be they of what Quality or Con-"dition ſoever) that formerly have been, now are, or here-"after ſhall be Treaſurers, Collectors, or Receivers of "publick Moneys now raiſed, or hereafter to be raiſed by "the Authority of the General Aſſembly, who by any "Ways or Means have, are, or ſhall for the future be "poſſeſſed of the ſame, or any part thereof, ſhall from "Time to Time, and at all Times hereafter be accompt-"able to the General Aſſembly, or to ſuch Commiſſioners "as ſhall or may be appointed by the Authority of the ſame, "and to no other Perſon or Perſons whatſoever.

We are very far from glorying in the exact Propriety of Expreſſion uſed throughout the Body of our Laws; but we think the Senſe and Meaning of the honeſt Law-makers are ſufficiently expreſt, eſpecially in theſe Inſtances we have given

If a Perſon of great Learning ſhould preſide in this Province, will it follow, that becauſe he can criticize on ſome Paragraphs, and, perhaps juſtly, find fault with ſome few Expreſſions in the Laws; he may therefore take 6 or 7 Pounds, where the Laws have plainly given him but One? Or where no Fee is by Law given him (nor has the ſame Officer in *Virginia* any) he may take what he pleaſes? Or that ſuch a Perſon ſhall himſelf paſs a Law *aſcertaining the publick Currency*, at about *Five* for *One Sterling* in all Caſes; and may, by his Proclamation (notwithſtanding that Law) cauſe a Variation to be made from that Eſtabliſhment in the Payment of the Quit Rents, of at leaſt *Two hundred per Cent.* Damage to the Takers up of that Money from the Publick?

Your Excellency might reaſonably expect to hear Murmurs and Complaints made by a People ſo much injured, and therefore we conceive, as the Laws in fringed were ſo plain, it was but natural for you to think of ſome Expedient, and to be as much againſt them as they were againſt you; which we think is apparent from the *Fifth* Paragraph of your Speech.

We humbly intreat your Excellency to cauſe a due Obſervation to be made of the Laws already in Force, eſpecially thoſe we have mentioned; without they are obſerved, all our Toil and Labour, all our Pains and Endeavours for the Advantage and Enriching our Families and Poſterity will be of little Service; nor ſhall we have any Encouragement to attempt the making any New ones.

If there has been any ſuch Matters of Fact as you mention in the *Eleventh* Paragraph of your Speech, which to us are unknown; we are ſatisfied, that the Aſſembly held ſoon after your Arrival, made ample Proviſion to remedy the ſame, in the *Two* Clauſes offered by them to the Quit-Rent Bill, upon ſome ſuch Suggeſtions then made of Frauds and Injuries of that kind ſuppoſed to be committed; for by thoſe Clauſes it was provided, "Nevertheleſs that it "ſhall be lawful for any Perſon that hath any lawful "Claim, to any of thoſe Lands, before they were ſo gran-"ted, to apply to his Excellency the Governor and Coun-"cil, by Petition ſetting forth ſuch his Claim, and if upon a "full hearing of both Parties, it ſhall appear that the Right "was in the Party claiming; the Grant, in ſuch caſe, ſhall "iſſue to the Claimant.

There are many other Matters that we might lay before your Excellency, ſuch as the Hardſhips exerciſed on his Majeſty's Subjects of this Province, by the Officers taking Rents other than agreeable to the Law; which we think may be of very dangerous Conſequence; the Diſregard to the Deed of Grant paſſed by the Proprietors in 1668. to the County of *Albemarle*; the Removal of Judges and Juſtices, without cauſe; the Alteration of Commiſſions for Courts: All which the Inhabitants of this Province are juſtly grieved at, and have therefore cauſed Application to be made by their Agent to his moſt ſacred Majeſty; which we hope, in his great Wiſdom and Clemency, he will be graciouſly pleaſed to commiſerate. We therefore forbear entering into them at this time, ſince the former Application of the Aſſembly and Grand Jury to your Excellency have proved fruitleſs.

Newport, March 31. On Monday laſt was found dead in a Well in the Yard of Mr. John Eaſton of this Town, Alice Allen a Child of about 11 Years of Age, Daughter of Mr. Ralph Allen of Portſmouth; Mr. Eaſton being out of Town and none of the reſt of the Family at Home, but the deceaſed and a Molatto Woman, caus'd a Suſpicion that ſhe knew how the Child came by her End; whereupon ſhe was examined, and producing ſo good Vouchers for her Diſpoſition and Conduct, the Jury of Inqueſt thought it a meer Accident, and the Child was inter'd. Yeſterday Mr. Eaſton came home and examin'd the Molatto in private, who own'd ſhe accidentally puſh'd the Child into the Well; upon which it was concluded that the whole of the Matter was not diſcovered; and this Day the Body was taken up and examin'd by a Jury of Phyſicians and Surgeons, who found the Deceaſed's Neck diſlocated; and the Molatto being brought on the Spot to view the Body and paſs another Examination, ſhe confeſs'd herſelf guilty of the Murder; and that in order to hide her Barbarity, ſhe put the Body in the Well. She is now in our Goal cloſely confined in order to receive her Tryal.

CHARLESTOWN, *May* 28

On Thurſday Night laſt the *Recruiting Officer* was acted for the Entertainment of the ancient and honourable Society of Free and Accepted MASONS, who came to the Play-houſe about 7 o'Clock, in the uſual Manner, and made a very decent and ſolemn Appearance; there was a fuller Houſe on this Occaſion than ever had been known in this Place before. A proper Prologue and Epilogue were ſpoke, and the entered Apprentices and Maſters Songs ſung upon the Stage, which were joined in *Chorus* by the Maſons in the Pit, to the Satisfaction and Entertainment of the whole Audience.. After the Play, the Maſons return'd to the Lodge at Mr. *Shepheard's*, in the ſame order obſerved in coming to the Play-Houſe.

CUSTOM-HOUSE, Charleſtown,

Entred inwards,

Ship Amoretta, David Jones from Africa
—— Hopewell, James Miſſant from Boſton.
Sloop Eliz: Chr Rowland from Providence.
—— John & Thomas, John Cox from ditto.

Entred out,

Brigt. Sarah & Eliz. Geor Mander for Topſham.
Scooner John, John Skirret for Mountſerrat.
—— Endeavour, Edwin Wills for Barbados.

Clear'd for Departure.

Ship John & Mary, John Payne to London.
—— Argyle, James Nicholſon to ditto.
—— Hannah, Tho: Story to Cowes.
Snow Nancy, John Dicker to Lizbon.
Scooner John, John Skirret to Mountſerrat
Sloop May-flower, Edw. Anderſon to Providence.
—— Sarah, Sam Parſons to ditto.
—— Carolina, Tho: Burgeſs to ditto:
—— Little Mary, John Blunt to N-Carolina.

EXPORTED from this PLACE ſince *Nov* 1, 1736.

Rice 40314 Barrels, and 519 Bags. Pitch 8901. Tarr 3537 Turpentine 2908. Whereof 6566 Barrels & 273 Bags of Rice to the Southward of *Cape Finiſterra*.

PRICES of the following GOODS

Rice 3 *l.* 10 *s.*	Tar per Bar. 37 *s.* 6 d.
Pitch per Bar. 47 *s* 6 d.	Turpentine 11 *s.* 3 d.
Corn per B. 17 *s* 6 d.	Skins 20 *s.*

Advertiſements.

TO BE SOLD on Wedneſday, the firſt Day of *June* next, a choice Cargoe of healthy Negroes, juſt imported in the Ship *Amoretta*, *David Jones* Commander, directly from *Africa* by *Benj. Savage* & Compt.

N.B. *Great regard will be had for preſent pay.*

Run away from *Tho: Hawys* the 9th of this Inſtant, a Negro Man, named *John*, *Barbados* born, ſpeaks good Engliſh, had on a blue Baſe Jacket and ſpeckle Shirt, aged about 40. Whoever takes him up and brings him to me on the Bay or to Goal, ſhall have 3 l. reward, and whoever entertains him be it to their Peril.

This is to give Notice to the Members of the St. *Andrew's* Club, that on Monday next the 30th Inſtant, will be held the quarterly Meeting at the Houſe of Mr. *Charles Shepheard* Vintner in *Charleſtown*.

MAURICE LEWIS *Preſident.*

GOOD *Iſle of May* Salt to be ſold for ready Money, at 5 *s.* a Buſhel on board the Brigt Sarah & Eliz. Geo: Mander Maſter, lying at Mr. *Motte's* Wharf by *Binford* & *Osmond.*

TO BE LETT a Plantation near the Quarter-houſe, belonging to *Ralph Izard* where *Peter Oliver* now lives, the Leaſe expiring the 1ſt of *March* next.

Run away from *Ralph Izard*, two *Angola* new Negro Men, named *Doctor* and *Toby*, both branded on their Breaſts *Izard.*

To be Sold on Tueſday the 31ſt Inſtant at publick Vendue the Sloop called the *Good Will*, now riding at Anchor oppoſite to *Stone's* Bridge, with all her Tackle, Furniture and Apparel, being moſt of it new and in very good Order, alſo 6 large Carriage Guns & 6 very good Patteraroes, with 8 Granado ſhells, Rammers, Worms, a large quantity of Shot and Longridge and all neceſſaries of that kind, in very good condition. The ſaid Sloop being fit to ſail as ſoon as purchaſed.

TO BE SOLD a Pettiauger, Burthen 46 Barrels of Rice, new Rigging, Sails, *&c.* for ready Money, either at publick Vendue on Tueſday next, or otherwiſe by *Wm. Croft* Butcher.

Imported *per* Capt. *Jacob Ayres*, and other late Veſſels from *London*, and to be ſold by *William Laſſerre*, a large aſſortment of linnens, *viz.* oznabrigs, 3 fourth 7 eighth and yard wide garlix, bagg hollands, platilloes, brown holland, variety of cambricks, ſilk & cotton romalls, middling and ſuper fine chints, a great variety of handkerchiefs, ſeerſuckers, ſilk camblet for mens ware, paduſoys, mantoua ſilks, allamode, ſuper fine green and bohea tea, ſingle & double refin'd ſugar, men & womens ſhoes, moſt ſorts of iron ware, ſpices, beſt canary in pint bottles, a great choice of lantorns from 15 *s.* to 4 *l.* a piece, hatts, check'd linnens, moſt ſorts of threads with ſeveral other goods, too tedious to inſert here, all which he will ſell at the cheapeſt rates.

Whereas in the Gazette of May 14. No. 172. *it was inadvertently and unadviſedly ſaid,* "*that our Planters would feel* "*the ſad Effects of the late four Days Rain,*" *which upon better Information proves to be a groundleſs and inſignificant Report; for that there is a good Proſpect of a plentiful Crop: And whereas it was inſinuated to the Printer hereof, by an Author whoſe Name he does not care to mention,* "*that the Rain and Wind* "*we had then for four Days and Nights was look'd upon as a* "*Chaſtiſement of divine Vengeance, for the Luxury and Pride of* "*the Inhabitants &c.*" *Theſe are therefore to publiſh and declare, that the Printer of this Gazette doth acknowledge in the moſt humble and ſubmiſſive manner, that ſuch a Publication was abſurd and ſcandalous, and that he doth hereby to the face of the whole World ſolemnly avow, that he hath been groſſly impoſed on by ſuch Author.*